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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: SOCIAL MEDIA ADOLESCENT  
ADDICTION/PERSONAL INJURY  
PRODUCTS LIABILITY LITIGATION

Case No. 4:22-MD-03047-YGR

MDL No. 3047

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This Document Relates to:  
*M.C., on behalf of minor E.C. v. Meta  
Platforms, Inc., et al., 4:23-cv-03398*

*D.S. filed on behalf of S.C. v. Meta  
Platforms, Inc., et al., 4:23-cv-03402*

*B.B. filed on behalf of minor R.B. v. Meta  
Platforms, Inc., et al., 4:23-cv-03032*

**PLAINTIFFS' THIRD CONSOLIDATED  
EX PARTE APPLICATION FOR  
APPOINTMENT OF GUARDIANS AD  
LITEM**

1 *M.W., filed on behalf of Minor G.W. v. Meta*  
2 *Platforms, Inc., et l. 4:23-cv-03824*

3 *Monica Jackson, an individually and on*  
4 *behalf of her minor child M.J. v. Meta*  
*Platforms. Inc., et al. 4:23-cv-03774*

5 *E.S. individually and on behalf of E.S. and*  
6 *J.S. individually v. Meta Platforms, Inc., et*  
*al. 4:23-cv-03682*

7 *N.B., individually and on behalf of H.B. v.*  
8 *Meta Platforms, Inc., et al. 4:23-cv-03635*

9 *M.H. individually and on behalf of B.H. and*  
10 *E.H., individually v. Meta Platforms Inc., et*  
*al. 4:23-cv-03639*

11 *L.T. on behalf of C.A. v. Meta Platforms Inc.,*  
12 *et al. 4:23-cv-03637*

### 13 14 APPLICATION

15 Pursuant to this Court’s Order Regarding Appointment of Guardian *Ad Litem* (“Guardians  
16 *Ad Litem* Order”) (ECF No. 122 at 3), Plaintiffs’ Liaison Counsel, Jennie Lee Anderson, hereby  
17 submits Plaintiffs’ Third *Ex Parte* Application for Appointment of Guardians *Ad Litem* (“*Ex*  
18 *Parte* Application”) for this Court’s consideration.

19 “Fit parents are presumed to act in the best interests of their children.” *J.B. by &*  
20 *Through Billiet v. Tuolumne Cnty. Superintendent of Sch.*, No. 19-cv-0858-NONE-EPG, 2021  
21 WL 3115195, at \*2 (E.D. Cal. July 22, 2021) (citing *Troxel v. Granville*, 530 U.S. 57, 66 (2000);  
22 *Doe v. Heck*, 327 F.3d 492, 521 (7th Cir. 2003)); *see also Brown v. Alexander*, No. 13-cv-01451-  
23 RS, 2015 WL 7350183, at \*1 (N.D. Cal. Nov. 20, 2015) (“In general, a parent who is also a party  
24 to the lawsuit is presumed to be a suitable guardian ad litem, and so the court often appoints the  
25 parent as guardian ad litem upon receipt of an ex parte application without exercising much  
26 discretion.”) (citation omitted). Absent a conflict of interest, “[a] parent is generally appointed  
27 guardian *ad litem*.” *A.G. v. South Bay Dreams Coop., Inc.*, No. 16-cv-02598-RNB, 2018 WL  
28

2002370, at \*3 (S.D. Cal. Apr. 30, 2018) (citing *Anthem Life Ins. Co. v. Olguin*, No. 06-cv-01165-AWI NEW (TAG), 2007 WL 1390672, at \*3 (E.D. Cal. May 9, 2007)); accord *J.M. v. Liberty Union High Sch. Dist.*, No. 16-cv-05225-LB, 2016 WL 4942999, at \*2 (N.D. Cal. Sept.16, 2016). However, “[w]hen there is a potential conflict between a perceived parental responsibility and an obligation to assist the court in achieving a just and speedy determination of the action, a court has the right to select a guardian ad litem who is not a parent if that guardian would best protect the child’s interests.” *J.M.*, 2016 WL 4942999, at \*1 (citations omitted) (internal quotation marks omitted).

Attached as Exhibits 1-9 to the Declaration of Jennie Lee Anderson in Support of Plaintiffs’ Third Consolidated *Ex Parte* Application for Appointment of Guardians *Ad Litem* (“Anderson Decl.” or “Anderson Declaration”) are the *Ex Parte* Applications for Appointment of Guardian *Ad Litem* (“Applications”) submitted by the parents and/or legal guardians of individual minor Plaintiffs in the following cases:

- *M.C., on behalf of minor E.C. v. Meta Platforms, Inc., et al.*, 4:23-cv-03398 (Exhibit 1).
- *D.S. filed on behalf of S.C. v. Meta Platforms, Inc., et al.*, 4:23-cv-03402 (Exhibit 2)
- *B.B. filed on behalf of minor R.B. v. Meta Platforms, Inc., et al.*, 4:23-cv-03032 (Exhibit 3)
- *M.W., filed on behalf of minor G.W. v. Meta Platforms, Inc., et al.*, 4:23-cv-03824 (Exhibit 4)
- *Monica Jackson, an individually and on behalf of her minor child M.J. v. Meta Platforms, Inc., et al.*, 4:23-cv-03774 (Exhibit 5)
- *E.S. individually and on behalf of E.S. and J.S. individually v. Meta Platforms, Inc., et al.*, 4:23-cv-03682 (Exhibit 6)
- *N.B., individually and on behalf of H.B. v. Meta Platforms, Inc., et al.*, 4:23-cv-03635 (Exhibit 7)
- *M.H. individually and on behalf of B.H. and E.H., individually v. Meta Platforms, Inc., et al.*, 4:23-cv-03639 (Exhibit 8)
- *L.T. on behalf of C.A. v. Meta Platforms, Inc., et al.*, 4:23-cv-03637 (Exhibit 9)

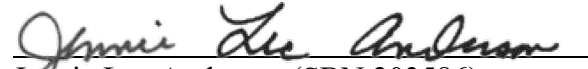
Exhibits 1-9 are Applications submitted to Plaintiffs' Liaison Counsel for filing since the last guardian *ad litem* submission. The Applications attached to the Anderson Declaration as Exhibits 1-9 are consistent with Attachment A to this Court's Guardian *Ad Litem* Order (ECF No. 122) and includes (1) the applicant's name and contact information (including address, email, and telephone number); (2) the name, case number, state of domicile (and its minimum age of capacity); (3) a sworn statement that the applicant is the parent and/or legal guardian of the minor plaintiff; and (4) a sworn statement affirming that the applicant is fully competent and qualified to understand and protect the rights of the minor plaintiff and has no interests adverse to the interests of that person. Anderson Decl. ¶ 4.

Pursuant to this Court's Guardians *Ad Litem* Order, the Applications by parents and/or legal guardians in the cases listed above are deemed presumptively approved upon filing, as there is no apparent conflict between the applicants' parental responsibility and their obligation to assist the Court in "achieving a just and speedy determination of the action." ECF No. 122 ¶ 4 (citing *J.M.*, 2016 WL 494299, at \*1). This Court also ordered that, absent the filing of an objection, the presumptive approval shall become final fifteen days after the date this *Ex Parte* Application is filed. ECF No. 122 ¶ 5. Therefore, the objection period will close on August 22, 2023.

Accordingly, Plaintiffs submit herewith a [Proposed] Order Granting *Ex Parte* Applications and Appointing Guardian *Ad Litem* appointing the parent and/or legal guardian named in the Applications submitted in the case listed above.

Dated: August 7, 2023

Respectfully submitted,



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